

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION


DELORES WOODEN, et al.	]	
	]	
Plaintiffs,	]	
	]	
v.	]	No. 3-07-00253
	]	JUDGE HAYNES
	]	
J.C. PENNY COMPANY, INC.	]	
	]	
Defendant.	]	

O R D E R

In accordance with the Memorandum filed herewith, Defendant's motion for summary judgment (Docket Entry No. 17) is **DENIED** and Plaintiffs' motion to exclude Defendant's Responses to Plaintiffs' Statements of Undisputed Facts (Docket Entry No. 24) is **DENIED** as moot.

It is so **ORDERED**.

**ENTERED** this the 26<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
WILLIAM J. HAYNES, JR.  
United States District Judge